United Nations A/70/253

General Assembly

Distr.: General
31 August 2015
English
Original: Arabic/English/French/
Spanish

Seventieth session
Item 37 of the provisional agenda*
The situation in the Middle East

The situation in the Middle East

Report of the Secretary-General

Summary

The present report contains replies received from Member States in response to the note verbale by the Secretary-General of 1 May 2015 concerning implementation of the relevant provisions of General Assembly resolutions 69/24, entitled "Jerusalem", and 69/25, entitled "The Syrian Golan"

* A/70/150.

15-14706 (E) 080915

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolutions 69/24 and 69/25. In its resolution 69/24, the Assembly stressed that a comprehensive, just and lasting solution to the question of the city of Jerusalem should take into account the legitimate concerns of both the Palestinian and Israeli sides and should include internationally guaranteed provisions to ensure the freedom of religion and of conscience of its inhabitants, as well as permanent, free and unhindered access to the holy places by people of all religions and nationalities. In its resolution 69/25, which deals with Israeli policies in the Syrian territory occupied by Israel since 1967, the Assembly demanded once more that Israel withdraw from all the occupied Syrian Golan to the line of 4 June 1967 in implementation of the relevant Security Council resolutions.

2. On 1 May, in order to fulfil my reporting responsibility under resolutions 69/24 and 69/25, I addressed notes verbales to the Permanent Representative of Israel and to the Permanent Representatives of all other Member States requesting them to inform me of any steps their Governments had taken or envisaged taking concerning the implementation of the relevant provisions of those resolutions. As at 17 August 2015, one reply had been received, from Brazil. The reply is reproduced in section II of the present report.

II. Replies received from Member States

Brazil

[Original: English]
[10 July 2015]

In accordance with Security Council resolution 478 (1980), Brazil does not recognize Jerusalem as the capital of the State of Israel, nor does Brazil recognize the so-called "basic law of Jerusalem". Brazil considers Jerusalem as part of the Occupied Palestinian Territories.

In 2010, Brazil recognized the State of Palestine, with its 1967 borders and East Jerusalem as its capital. Brazil has repeatedly defended the resumption of the peace process.

Brazil has constantly recalled, in the appropriate forums, that the Israeli occupation of the Occupied Palestinian Territories is illegal under international law and that Israel has to fulfil its international obligations as the occupying Power. According to article 49, of the Fourth Geneva Convention, for instance, the occupying Power shall not deport or transfer parts of its own civilian population into the territory it occupies.

Brazil firmly supported the reconvening of the Conference of High Contracting Parties to the Fourth Geneva Convention in December 2014, at which, once again, the applicability of the Geneva Conventions to the Occupied Palestinian Territories was reaffirmed.

The Brazilian legislative decree by which the Free Trade Agreement between Brazil and Israel was approved determined that the Government shall negotiate the "exclusion, from the Agreement's coverage, of goods whose certificates of origin

attest as their origin sites under the Israeli administration since 1967", which includes not only the Occupied Palestinian Territories, but also the Syrian Golan. This issue is currently on the agenda of the Joint Committee established under the Agreement.

Brazil has repeatedly expressed its concern about the withholding of Palestinian customs duties by Israel, in disregard of the Paris Protocol on Economic Relations between the Government of the State of Israel and the Palestine Liberation Organization.